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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,163	06/26/2001	Asko Komsu	NC30575	5195

32729 7590 02/13/2004
WAYNE DEMELLO NOKIA INC.
5 WAYSIDE ROAD
BURLINGTON, MA 01803

EXAMINER

IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 02/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/894,163

Applicant(s)

KOMSI ET AL.

Examiner

Khawar Iqbal

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being unpatentable by Fenton et al (US Pub 20020194195).

3. Regarding claim 1 Fenton et al teaches a system for commanding an entity, comprising (figs. 1 and 2):

an entity player for invoking an entity, wherein the entity includes a plurality of methods (para.0060, 0062);

an entity editor connected to the entity player (para.0060, 0069); and

at least one control device connected to the entity player, wherein the entity player invokes the entity methods in accordance with the control device (para. 0069, 0076).

Regarding claim 2 Fenton et al teaches a method for commanding an entity, comprising (figs. 1,2):

selecting an entity wherein the entity includes a plurality of commands that are associated with the entity (para. 0063,0084); and

selecting at least one entity command (para.0064, 0072,0084).

Regarding claim 3 Fenton et al teaches wherein the step of selecting the entity commands is performed through the use of an entity editor (para. 0062).

Regarding claim 4 Fenton et al teaches a method for commanding an entity, comprising (figs. 1,2):

downloading an entity (para.0046), wherein the entity is associated with a plurality of commands (para. 0060, 0062,0069);

opening the entity in an entity editor to determine the plurality of commands associated with the entity (para. 0060, 0062,0069); selecting at least one command; and constructing a message from the selected command (para. 0063,0084).

4. Claim 5 is rejected under 35 U.S.C. 102(e) as being unpatentable by Wenocur et al (US Pub. 20020178360).

5. Regarding claim 4 Wenocur et al teaches a method for interpreting an entity, comprising (figs.1, 2):

retrieving, by an entity-enabled device, an entity having a plurality of commands wherein the entity-enabled device includes an entity player for interpreting commands (para.1041, 1043);

determining, by the entity player (para.0149, 0150), whether the commands are compatible with the entity-enabled device (para. 1166, 1341);

interpreting, by the entity player, the compatible commands on the entity-enabled device (para. 1166, 1341).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shanahan (20040014459), Qureshey et al (20020002039), Halliburton et al (20020052229), Sinclair et al (6554707), Hentick (6507727), Xiao (6571337) and Levy et al (6505160) teach entity download and edit etc.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2684 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Khawar Iqbal

Marsha D Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
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